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SUBJECT: NEW JUSTICE MINISTER ON PLANS FOR REFORM

REF: KIGALI 842

Summary

¶1. New Minister of Justice Tharcisse Karugarama outlined his plans for a reformed Justice Ministry in a meeting with the Ambassador on August 28. A revamped administrative structure, strenuous efforts to reduce lagging caseloads, and a pledge to ensure "even-handed investigations" formed the core of his commitment to revitalize the ministry, said the Minister. He agreed that press freedom was essential to Rwandan society, and pledged his personal efforts to erect a proper regard for a freely-functioning media within the GOR. End Summary.

¶2. Karugarama, previously the senior judge on the High Court, became Justice Minister August 8. He began the meeting by expressing his keen recognition of the great task just handed to him. As the senior judge, he said, he had chosen cases in which he could influence case law, and he had encouraged his fellow justices to be assertive and challenge the power of the government. In naming four rulings which limited executive authority, he said, "I wanted to show that the government could lose." Now, he said, he headed that government's legal arm, and had to represent it in many different fora. The change in perspective and tasks was quite overwhelming, he said.

¶3. Karugarama said that one of his primary tasks was to reduce the justice system's caseload. He had several means to do so, and had great hopes of eventual success. First, the recent election of the "abunzi" mediators (who operate at cell and sector levels) put in place a modernized system of customary mediation for small civil disputes. Many cases, particularly run-of-the-mill land cases, would now be heard by the "abunzi." Secondly, he hoped to put in place a mandatory requirement that all cases be "treated" within six months (put on a docket and opened for deliberations). Many cases languished without any formal proceedings ever beginning, he said, and he believed that cases formally opened would necessarily move forward to completion. Third, he hoped to reduce the number of judges sitting on most cases from three to one (thereby tripling the number of cases heard) and to increase the administrative staff to match this tripling of judicial effort. Fourth, he hoped to begin a thorough revision of court administration (and he hoped for donor funding to do so).

¶4. Beyond administrative reforms, Karugarama said he intended to put in place a system of investigations that would be accepted by the entire spectrum of Rwandan society.

Every investigation, he said, must be "even-handed." The Ambassador took the opportunity to discuss the recent series of claims of press harassment (reftel), and asked the minister to reconsider the utility of criminal libel statutes. For the international community, said the Ambassador, these statutes were considered a tool for press harassment. Ambassador also questioned the wisdom of allowing police officials to begin press investigations on their own initiative. The risk of arbitrary decisions was too high.

15. Karugarama closed by asking for assistance with translation of draft legal texts ("I have done last-minute translations myself," he said, recounting one late night exercise in correcting his subordinates' poor work). Ambassador presented Karugarama with the text of a model trafficking in persons statute used elsewhere in Africa, and urged its consideration by the minister. Both agreed to stay in close contact on justice system issues.
ARIETTI